

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85957 of 2023

Arising Out of PS. Case No.-27 Year-2022 Thana- BHAGWANPUR District- Vaishali

NITESH KUMAR @ NITISH KUMAR SON OF MR. YUGESHWAR RAY
R/O VILLAGE- POJHIYA, P.S.- LALGANJ, DIST.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwanpur P.S. Case no.27 of 2022 registered under section 392 of the Indian Penal Code in which chargesheet has been submitted under sections 395 and 412 of the Indian Penal Code.

3. As per the prosecution case, while the informant was returning having collected an amount of Rs.50,575/, it is stated that four accused persons on a motorcycle overtook the informant, overpowered him and took away the bag along with Rs.50,575/. It is stated that all the accused were aged about 30-35 years and were speaking local dialect.



4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. The petitioner was falsely implicated in the case in course of investigation. In spite of being in custody since 10.4.2023, the petitioner was not put on T.I. parade and chargesheet has been submitted in the case. No incriminating article has been recovered from the petitioner's possession and the cause of his false implication is his antecedents.

5. Heard learned A.P.P. for the State.

6. A report was called for from the learned trial Court with respect to stage of the case/trial. From the report received contained in letter dated 13.2.2024 of the learned A.C.J.M. I, Vaishali at Hajipur, the case is expected to be committed soon.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation, no incriminating article having been recovered from the petitioner's possession, the petitioner not having been put on T.I. parade in spite of being in custody for 11 months since 10.4.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bhagwanpur P.S. Case no.27 of 2022 on furnishing bail bond of



Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Chief Judicial
Magistrate, Vaishali at Hajipur.

(Partha Sarthy, J)

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